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CITY OF LOS ANGELES
GUIDELINES FOR THE IMPLEMENTATION OF THE
CALIFORNIA ENVIRONMENTAL QUALITY ACT OF 1970
AS AMENDED DECEMBER 17, 1973

As Recommended by the City Council's Special
AD HOC COMMITTEE ON ENVIRONMENTAL QUALITY*

and the

PLANNING COMMITTEE

and Adopted, As Amended, by the City Council

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ARTICLE 1. General

Authority The rules of procedure contained in these guidelines have been adopted by resolution of the Los Angeles City Council pursuant to Section 21082 of the California Public Resources Code. These guidelines are consistent with the California Environmental Quality Act of 1970 and regulations prescribed by the Secretary of the California Resources Agency and contained in Division 6, Title 14, of the California Administrative Code.

These guidelines are binding on all City agencies, including the proprietary and independent departments, in the implementation of the California Environmental Quality Act 1970 (CEQA) as it relates to environmental quality, the evaluation of projects and the preparation of environmental impact reports (EIRs).

ARTICLE 2. Purpose

Purpose. The purpose of these guidelines is to provide City agencies with principles, objectives, criteria procedures, and definitions to be used in the implementation of the California Environmental Quality Act of 1970, Public Resources Code Sections 21000-21174 as amended by Chapter 1154 of the Statutes of 1972 (AB 889). Implementation of the act includes the orderly evaluation of projects and the preparation of environmental impact reports (EIRs).

ARTICLE 3. Policy

1. It is hereby declared to be the policy of the City of Los Angeles to achieve the fullest possible compliance with the intent and provisions of the California Environmental Quality Act of 1970.

The act declares* among other things, that:

- (a) Every citizen has a responsibility to contribute to the preservation and enhancement of the environment.
- (b) It is state policy to require governmental agencies at all levels to consider qualitative factors as well as economic and technical factors and long-term benefits and costs, in addition to short-term benefits and costs, and to consider alternatives to proposed actions affecting the environment.

2. Informational Document. An Environmental Impact Report is an informational document which, when fully prepared in accordance with the CEQA and these Guidelines, will inform public decision-makers and the general public of the environmental effects of projects they propose to carry out or approve. The EIR process is intended to enable public agencies to evaluate a project to determine whether it may have a significant effect on the environment, examine and institute methods of reducing adverse impacts, and consider alternatives to the project as proposed. These things must be done prior to approval or disapproval of the project. An EIR may not be used as an instrument to rationalize approval of a project, nor do indications of adverse impact, as enunciated in an EIR, require that a project be disapproved -- public agencies retain existing authority to balance environmental objectives with economic and social objectives.
3. Early Preparation. An EIR is a useful planning tool to enable environmental constraints and opportunities to be considered before project plans are finalized. It is the policy of the City of Los Angeles that EIRs shall be prepared at the earliest practicable stage of each project.

*Sections 21000 and 21001, California Public Resources Code

Application. These guidelines have application to the diversity of projects undertaken or approved by the various City agencies. These guidelines provide basic principles, objectives, criteria, procedures and definitions to insure consistent implementation of CEQA throughout the City. Individual City agencies shall develop internal rules and procedures consistent with these guidelines.

Terminology. The following words are used to indicate whether a particular subject in the Guidelines is mandatory, advisory, or permissive:

- (a) "Must" or "shall" identifies a mandatory element which all public agencies are required to follow.
- (b) "Should" identifies guidance provided by the Secretary for Resources based on policy considerations contained in CEQA, in the legislative history of the statute, or in federal court decisions which California courts can be expected to follow. Public agencies are advised to follow this guidance in the absence of compelling, countervailing considerations.
- (c) "May" identifies a permissive element which is left fully to the discretion of the public agencies involved.

ARTICLE 4. Definitions

1. General. Whenever the following words are used in these Guidelines, unless otherwise defined, they shall have the meaning ascribed to them in this article.
- 1.5. Applicant. Applicant means a person who proposes to carry out a project which needs a lease, permit, license, certificate, or other entitlement to use or financial assistance from one or more public agencies when that person applies for the governmental approval or assistance.
2. Approval means the decision by a city agency which commits the agency to a definite course of action in regard to a project intended to be carried out by any person.

(a) Projects as Defined in Section 20 (a) (1) of this Article

Approval of a project to be carried out by a City agency occurs at the time when funds are appropriated or, where no appropriation for a specific project is involved, are allocated for the project, other than funds necessary to determine the environmental impact of the project, including the preparation of a Negative Declaration or an EIR for the project, if authorized by such City agency except as hereinafter set forth.

- (1) With respect to projects for which funding is provided in the Capital Improvement Expenditure Program of the annual City Budget, approval occurs when the City Council, by motion adopted subsequent to the initial budget appropriation for that project, expressly authorizes the responsible agency to expend funds to proceed with the project; provided however, that the expenditure of appropriate funds for initial studies provided for in Article 7., as well as for special reports, site utilization studies, schematic design, title search, appraisal services, and other related preliminary activities shall not constitute approval of such projects and do not require the prior adoption by the Council of the above motion.
- (2) With respect to improvement projects funded by assessment proceedings, approval occurs when the Council either grants the request of the petitioners or authorizes by resolution the institution of these proceedings.
- (3) When no funds are involved, approval occurs when the project is authorized to proceed, or in case of portions or elements of the General Plan or zoning amendments, when finally adopted by the City Council.

(b) Projects as Defined in Section 20 (a) (2) of this Article

Approval occurs when the City agency commits itself to participation in the project.

(c) Projects as Defined in Section 20 (a) (3) of this Article

In connection with private projects, approval occurs upon the earliest decision to issue a permit, license, certificate or other entitlement. However, if an appeal from such decision is taken, approval for purposes of filing the Notice of Determination will not occur until the final determination on appeal is made.

3. CEQA - California Environmental Quality Act.

Environmental Quality Act (CEQA) means California Public Resources Code Sections 21000 et seq.

4. Categorical Exemption.

Categorical Exemption means an exception from the requirements of CEQA for a class of projects based on a finding by the Secretary for Resources that the class of projects does not have a significant effect on the environment.

5. City Agency.

In these guidelines the term "City agency" is used to mean the City Council or a City department, bureau, division, section, office, officer or agency authorized under the Charter or by ordinance to approve or disapprove a project on behalf of the City.

6. Discretionary Project. Discretionary project means an activity defined as a project which requires the exercise of judgment, deliberation, or decision on the part of the public agency or body in the process of approving or disapproving a particular activity, as distinguished from situations where the public agency or body merely has to determine whether there has been conformity with applicable statutes, ordinances or regulations.
7. Emergency. Emergency means a sudden, unexpected occurrence demanding immediate action to prevent or mitigate loss or damage to life, health, property, or essential public services.
8. Environment. Environment means the physical conditions which exist in the area which will be affected by a proposed project including land, air, water, minerals, flora, fauna, ambient noise, objects of historic or aesthetic significance.
- 8.5. Environmental Documents. Environmental documents means Draft and Final EIRs, Initial Studies, Negative Declarations, Notices of Completion, and Notices of Determination.
9. EIR - Environmental Impact Report. Environmental Impact Report (EIR) means a detailed statement setting forth the environmental effects and considerations pertaining to a project as specified in Section 21100 of the California Environmental Quality Act.
 - (a) Draft EIR means an EIR containing the information specified in Sections 2, 3 and 4 of Article 9 of these guidelines.
 - (b) Final EIR means an EIR containing the information specified in Sections 2, 3, 4 and 5 of Article 9 of these guidelines, a section for comments received in the consultation process, and the response of the Agency to the comments received. The final EIR is discussed in detail in Section 7 of Article 9 of these guidelines.
10. EIS - Environmental Impact Statement. Environmental Impact Statement (EIS) means an environmental impact report prepared pursuant to the National Environmental Policy Act (NEPA). The Federal Government uses the term EIS in the place of the term EIR which is used in CEQA.
11. Feasible. Feasible means capable of being accomplished in a successful manner by reasonably available, economic and workable means.
- 11.5. Initial Study. Initial study means a preliminary analysis prepared by the lead agency pursuant to Section 15080 to determine whether an EIR or a Negative Declaration must be prepared.
12. Lead Agency. Lead Agency means the public agency which has the principal responsibility for preparing environmental documents and for carrying out or approving a project which may have a significant effect on the environment.

13. Lead City Agency. Lead City Agency means the City agency which has the principal responsibility for preparing environmental documents and for carrying out or approving a project which may have a significant effect on the environment.
14. Local Agency. Local agency means any public agency other than a state agency, board or commission. Local agency includes but is not limited to cities, counties, charter cities and counties, districts, school districts, special districts, redevelopment agencies and any board, commission or organizational subdivision of a local agency when so designated by order or resolution of the governing legislative body of the local agency.
15. Ministerial Projects. Ministerial projects as a general rule, include those activities defined as projects which are undertaken or approved by a governmental decision which a public officer or public agency makes upon a given state of facts in a prescribed manner in obedience to the mandate of legal authority. With these projects, the officer or agency must act upon the given facts without regard to his own judgment or opinion concerning the propriety or wisdom of the act although the statute, ordinance, or regulation may require, in some degree, a construction of its language by the officer.
16. Negative Declaration. Negative declaration means a statement by the lead agency briefly presenting the reasons that the project, although not otherwise exempt, would not have a significant effect on the environment and therefore does not require an EIR.
17. Notice of Completion. Notice of Completion means a brief report filed with the State Secretary for Resources as soon as a lead agency has completed a draft EIR and is prepared to send out copies for review. The contents of this notice are explained in Section 6(c) of Article 7.
18. Notice of Determination. Notice of Determination means a brief notice to be filed by a lead agency when it approves or determines to carry out a project which is subject to the requirements of CEQA. The contents of this report are explained in Section 6(h) of Article 7.
- 18.5 Notice of Exemption. Notice of exemption means a brief notice which may be filed by a City agency when it has approved or determined to carry out a project, and it has determined that it is ministerial, categorically exempt or an emergency project. Such a notice may also be filed by an applicant where such a determination has been made by a City agency which must approve the project. The contents of this notice are explained in Section 16(a) and (b) of Article 6.*
19. Person. Person includes any person, firm, association, organization, partnership, business, trust, corporation, company, district, county, city and county, city, town, the State, and any of the agencies' political subdivisions of such entities.
20. Project.
- (a) Project means the whole of an action, resulting in physical impact on the environment, directly or ultimately, that is any of the following:

- (1) an activity directly undertaken by any City agency including but not limited to public works construction and related activities, clearing or grading of land, improvements to existing public structures, enactment and amendment of zoning ordinances, and adoption or amendment of the various elements or portions of the General Plan including community plans.
- (2) an activity undertaken by a person which is supported in whole or in part through City agency contracts, grants, subsidies, loans, or other forms of assistance from one or more City agencies.
- (3) an activity involving the issuance to a person of a lease, permit, license, certificate or other entitlement, except when such issuance is a ministerial act.

(b) Project does not include:

- (1) Anything specifically exempted by state law.
- (2) Continuing administrative or maintenance activities, such as purchases for supplies, personnel-related actions, emergency repairs to public service facilities, general policy and procedure making (except as they are applied to specific instances covered above), feasibility or planning studies.
- (3) The submittal of proposals to a vote of the people.

(c) The term "project" refers to the underlying activity and not to the governmental approval process.

21. Public Agency. Public agency includes any state agency, board or commission and any local or regional agency, as defined in these guidelines. It does not include the courts of the State. This term does not include agencies of the federal government.
22. Responsible Agency. Responsible agency means a public agency which proposes to undertake or approve a project, but is not the lead agency for the project. It includes all public agencies other than the lead agency which have approval power over the project.
23. Responsible City Agency. Responsible City agency means the City agency which proposes to undertake or approve a project, but is not the lead City agency for the project. It includes all City agencies other than the lead City agency which have approval power over the project.
24. Significant Effect. Significant effect means a substantial adverse impact on the environment.

ARTICLE 5. General Responsibilities

1. All City Agencies.

All city agencies are responsible for complying with CEQA and with these guidelines. Whether a City Agency prepares an EIR itself or contracts with a private party to do the preparation, the City agency is responsible for the adequacy and objectivity of the EIR. It shall be the duty of each City agency to make copies of EIRs and Negative Declaration available for public inspection. Citizens desiring reproductions of these documents shall be charged the same per-page fee required for reproduction of other public documents.

2. City Council Projects.

In projects undertaken or to be approved by the City Council, the EIR or Negative Declaration, if required by CEQA, shall be prepared by the City department, bureau, division, section, office or officer which has the primary responsibility under the Charter, by ordinance or under state law for such projects. Such Negative Declaration or EIR shall be submitted to the City Council as provided in Section 1 of Article 7 of these guidelines.

Whenever an EIR or a Negative Declaration is to be submitted to the City Council, it shall be accompanied by either a brief summary of the EIR or supporting data for the Negative Declaration, as appropriate, which shall be prepared by the Department preparing said EIR or Negative Declaration. The Department shall provide the City Clerk with sufficient copies of the EIR and summary or Negative Declaration and supporting data for each member of Council, and the Council File, and such additional copies as may be specified by the City Clerk. The City Clerk shall be responsible for assuring that said documents are transmitted to each Council office concurrently with the same Council Calendar for which the documents would be considered by Council.

3. Department of Environmental Quality.

The Department of Environmental Quality (DEQ) may review and comment on draft EIRs prepared by lead City agencies.*

4. Comments on EIRs of Other Public Agencies.

When individual City agencies or experts within such agencies are requested by other public agencies to comment on an EIR, such agencies or individuals may respond directly to the public agency making the request provided that (1) such comments are consistent with any previously adopted position of the City Council on the specific project covered by the EIR, and (2) such comments are transmitted to the Department of Environmental Quality and the councilman of the district or districts where the project is located at least five days prior to transmission to the requesting agency.**

*As Amended by the City Council on April 4, 1974.

**As Amended by the City Council on November 27, 1974.

5. Fees.

- (a) All other City agencies shall recommend to the City Council a schedule of fees to recover costs of EIRs and Negative Declarations for projects to be carried out by some entity other than the agency itself.
- (b) City agencies shall charge and collect fees for reproducing an EIR or Negative Declaration requested by a member of the public at rates normally charged for reproduction of other public documents.

6. City Administrative Officer.

The City Administrative Officer shall prescribe the necessary forms for implementation of these guidelines.

7. Timely Compliance.

City agencies should carry out their responsibilities for preparing and reviewing EIRs within a reasonable period of time so as not to cause undue delays in the processing of applications for permits or other entitlements to use.

8. Orderly Preparation.

For projects as defined in Section 20(a) (3) of Article 4 of these guidelines, the preparation of a Negative Declaration or an EIR shall be commenced in the order in which the permit application is filed with the Lead City Agency.

ARTICLE 6. Application of CEQA to Projects

1. General Rule. The requirements set forth in these guidelines apply to projects which may have a significant effect on the environment and which involve discretionary action by City agencies. Where it can be seen with certainty that the activity in question will not have a significant effect on the environment, the activity is not covered by the requirements of CEQA and these guidelines do not apply.
2. Public Projects.
 - (a) When a City agency plans to carry out or approve a project which may have a significant effect on the environment, the lead City agency shall prepare environmental documents through its own efforts or by contract unless the project is otherwise exempted by these Guidelines.
 - (b) When a project which may have a significant effect on the environment is to be carried out by a non-governmental person subject to approval, financial support, or some other involvement of a City agency, the lead City agency shall prepare the environmental documents by its own efforts or by contract. However, the lead City agency may require the person to supply data and information, both to determine whether the project may have a significant impact on the environment and to assist in the preparation of an EIR by the lead City agency. This information may take the form of a draft EIR if the lead City agency so desires.

If information is provided in the form of a draft EIR, the lead City Agency may not use the draft EIR as its own without independent evaluation and analysis. The draft EIR which is sent out for public review must reflect the independent judgment of the lead City agency. The lead City agency should require an applicant to specify to the best of his knowledge which other public agencies will have approval authority over the project.
 - (c) Where the project to be undertaken by a City agency requires State approval or financial assistance, the lead City agency shall prepare the EIR or Negative Declaration and shall submit it with its request for approval of the proposed project. This must also be done with Federally funded projects when the State has discretionary authority over the use of such funding. If the City project has been mandated by a State agency, the EIR prepared by the lead City agency may be limited to consideration of those factors and alternatives which do not conflict with the order.
 - (d) The EIR may be prepared as a separate document or as part of a project report. If prepared as part of a project report, it must still contain--in one separate and distinguishable section--the elements required of an EIR, including the seven elements specified in Article 9 of these guidelines.

- (e) All City and private activities undertaken in connection with a redevelopment plan constitute a single project which shall be deemed approved at the time of the adoption of the redevelopment plan by the City Council. The EIR covering a redevelopment plan shall be prepared in accordance with California Health and Safety Code Section 33352 by the Community Redevelopment Agency (CRA) and submitted to the City Council.
- (f) All of the above is subject to modification according to regulations governing the lead agency principle which provides that not more than one EIR shall be prepared in connection with the same underlying activity and that the EIR shall be prepared by the lead City agency.

3. Federal Projects. In cases where the National Environmental Policy Act of 1969 (NEPA) requires the preparation of an EIS (environmental impact statement) covering a proposed Federally approved or funded City project, all or part of the EIS may be submitted in place of all or part of any EIR required by these guidelines, provided that the portions of the EIS used for this purpose comply with the requirements of these guidelines. In most cases where the Federal EIS is used, discussion of mitigating measures and growth-inducing impact will have to be added because these elements are required by CEQA but not by NEPA.

4. Lead Agency Principle. Where a project is to be carried out or approved by more than one public agency only one public agency shall be responsible for preparation of environmental documents and it will be the Lead Agency. Such environmental documents will be prepared by the Lead Agency in consultation with all other responsible agencies. The Lead Agency's environmental documents shall be the environmental documentation for all responsible agencies. Such responsible agencies shall consider the Lead Agency's EIR or negative declaration prior to acting upon or approving the projects, and they shall certify that their decision-making bodies have reviewed and considered the information contained in them.

5. Lead Agency Criteria.

- (a) If the project is to be carried out by a public agency, the Lead Agency shall be the public agency which proposes to carry out the project.
- (b) If the project is to be carried out by a nongovernmental person, the Lead Agency shall be the public agency with the greatest responsibility for supervising or approving the project as a whole. The Lead Agency will generally be the agency with general governmental powers rather than an agency with a single or limited purpose which is involved by reason of the need to provide a public service or public utility to the project; in such cases, the single or limited purpose agency will, upon request, provide data concerning all aspects of its activities required to furnish service to the project to the agency drafting the EIR, and no separate EIR will be required in regard to such activities.
- (c) Where more than one public agency equally meet the criteria set forth in paragraph (b) above, the agency which is to act first on the project in question shall be the Lead Agency (following the principle that the environmental impact should be assessed as early as possible in governmental planning).

- (d) Where the provisions of subsections (a), (b), and (c) leave two or more public agencies with an equal claim to be the lead agency, the public agencies may by agreement designate which agency will be the lead agency.
6. Lead City Agency. Where a project is to be carried out or approved by more than one City agency, the same criteria will apply to determine which City agency is responsible for preparation of the EIR as apply under the Lead Agency principle set forth above. In the event that the designation of a Lead City Agency is in dispute, any City agency may submit the question to the City Council which will designate the Lead City Agency.
7. Designation of Lead Agency by Office of Planning and Research.
- (a) In the event that the designation of a Lead Agency is in dispute, the following criteria shall apply:
- (1) Public agencies should consult with each other in an effort to resolve the dispute prior to submitting it to OPR.
 - (2) If an agreement cannot be reached, any public agency involved may submit the dispute to the OPR for resolution.
- (b) Regulations adopted by OPR for resolving lead agency disputes may include the following:
- (1) Submission of written statements to OPR and other disputing public agencies;
 - (2) Certification by OPR that a Lead Agency dispute exists;
 - (3) Publication of notice that a dispute has been submitted to OPR;
 - (4) Determination of the dispute on the basis of written statements or by a hearing.
- (c) Designation of a Lead Agency by OPR shall be based on consideration of the criteria in Section 15065 as well as the capacity of the agency to adequately fulfill the requirements of CEQA.
8. Consultation with Responsible Agencies. When more than one public agency will be involved in undertaking or approving a project, the Lead Agency shall consult with all responsible agencies (i.e., all the other public agencies involved in carrying out or approving the project.) before completing a draft EIR or Negative Declaration. This early consultation is designed to insure that the EIR or Negative Declaration will reflect the concerns of all responsible agencies which will issue approvals for the project. After completing the draft EIR or Negative Declaration, the Lead Agency shall also consult with other public agencies having jurisdiction by law and should consult with persons having special expertise as described in Sections 4 and 6 of Article 7 of these Guidelines

9. Subsequent EIR Where an EIR has been prepared, no additional EIR need be prepared unless:
- (a) Substantial changes are proposed in the project which will require major revisions of the EIR, due to the involvement of new environmental impacts not considered in a previous EIR.
 - (b) There are substantial changes with respect to the circumstances under which the project is to be undertaken, such as a change in the proposed location of the project, which will require major revisions in the EIR due to the involvement of new environmental impacts not covered in a previous EIR.
10. Use of a Single EIR. A lead agency may employ a single EIR to describe more than one project, if such projects are essentially the same in terms of environmental impact. Further, a lead agency may use an earlier EIR prepared in connection with an earlier project to apply to a later project, if the circumstances of the projects are essentially the same. Agencies may elect to write EIRs in advance for entire programs or regulations, in order to be prepared for project applications to come. Whenever an agency chooses to utilize any of these alternatives, however, it must find that the environmental effects of the projects are similar enough to warrant the same treatment in an EIR and that the EIR will adequately cover the impacts of any single project. If these tests are not met, an agency should amend the EIR it prepares for a program to apply it to an individual project with unusual characteristics.
11. Multiple and Phased Projects. Where individual projects are, or a phased project is, to be undertaken and where the total undertaking comprises a project with significant environmental effect, the Lead Agency must prepare a single EIR for the ultimate project. Where an individual project is a necessary precedent for action on a larger project, or commits the Lead Agency to a larger project, with significant environmental effect, an EIR must address itself to the scope of the larger project, subject to the limitation of these guidelines. Where one project is one of several similar projects of a City agency, but is not deemed a part of a larger undertaking or a larger project, the agency may prepare one EIR for all projects, or one for each project, but should in either case comment upon the combined effect. It is not intended that the General Plan of the City be considered as a multiple or phased project.

12. Ongoing project.

- (a) A project as defined in Section 20(a)(1), Article 4 of these guidelines, approved prior to November 23, 1970, shall require an Environmental Impact Report or a Negative Declaration if the project may have a significant effect on the environment, and either of the following conditions exist:
- (1) A substantial portion of public funds allocated for the project have not been spent and it is still feasible to modify the project to mitigate potentially adverse environmental effects, or to choose feasible alternatives to the project, including the alternative of "no project" or halting the project; provided that this Section (1) shall not apply to projects which come under the jurisdiction of the National Environmental Policy Act (NEPA) and which, through regulations promulgated under NEPA, were held to be too far advanced at the time of NEPA's effective date to require an EIS in compliance with those regulations.
 - (2) A public agency proposes to modify the project in such a way that the project might have a new significant effect on the environment.
- (b) A project as defined in Section 20(a)(3) of Article 4 or in Section 20(a)(2) of Article 4 of these guidelines as it relates to contracts where the permit or other entitlement was issued, or the contract approved, prior to April 5, 1973, does not require an EIR or Negative Declaration, subject to the following provisions:
- (1) CEQA expressly does not prohibit a public agency from considering environmental factors in connection with the approval or disapproval of a project, or from imposing reasonable fees on the appropriate private person or entity for preparing an environmental report. Local agencies may require environmental reports for projects covered by this paragraph pursuant to local ordinances during this interim period.
 - (2) Where the issuance or approval occurred prior to December 5, 1972, and prior to said date the project was legally challenged for noncompliance with CEQA, the project shall be bound by special rules set forth in Section 21170 of CEQA.
 - (3) Where a project involving the issuance of a lease, permit, license, certificate or other entitlement to use has been granted a discretionary governmental approval for part of the project before April 5, 1973, and another or additional discretionary governmental approvals after April 5, 1973, the project shall require an EIR or Negative Declaration only if the approval or approvals after April 5, 1973, involve a greater degree of responsibility or control over the project as a whole than did the approval or approvals prior to that date.

- (c) Any EIR which has been completed or on which substantial work has been performed on or before February 15, 1974, in compliance with procedures of a public agency consistent with CEQA and these Guidelines as adopted on February 3, 1973, shall be deemed to be in compliance with these Guidelines. No further EIR shall be required except as provided in Subsections (a) and (b).
 - (d) If a project has been approved by any City agency prior to April 5, 1973, and no EIR has been prepared due to the moratorium established by CEQA, an EIR will not be required at any subsequent review of this decision under any appeal procedures unless the City Council specifically instructs that an EIR shall be prepared.
13. Emergency Projects. The following emergency projects are exempt from the requirements of CEQA, and no EIR or Negative Declaration is required:
- (a) Projects undertaken, carried out, or approved by a City agency to maintain, repair, restore, demolish or replace property or facilities damaged or destroyed as a result of a disaster in a disaster-stricken area in which a state of emergency has been proclaimed by the Governor pursuant to Chapter 7 (commencing with Section 8550) of Division 1, Title 2 of the Government Code.
 - (b) Emergency repairs to public service facilities necessary to maintain service.
 - (c) Projects undertaken as immediate action necessary to prevent or mitigate an emergency.
14. Feasibility and Planning Studies. A project involving only feasibility or planning studies for possible future actions which a City agency has not approved or funded does not require the preparation of an EIR but does require "consideration of environmental factors" as required by Section 21102 of CEQA.

15. Ministerial Projects. Ministerial projects are exempt from the requirements of CEQA, and do not require the preparation of environmental documents. The following actions are ministerial:

- (a) Issuance of building permits, including:
 - (1) Grading permits.
 - (2) Electrical permits.
 - (3) Heating, Ventilating, Air-Conditioning and Refrigeration permits.
 - (4) Elevator permits.
 - (5) Boiler and Pressure Vessel permits.
 - (6) Plumbing permits.
- (b) Issuance of business licenses.
- (c) Approval of final subdivision maps.
- (d) Approval of individual utility service connections and disconnections, including:
 - (1) Water and electrical facilities to serve approved projects of public agencies, including, but not limited to, street lighting, systems, fire hydrants, etc.
 - (2) Utility extensions of reasonable length to serve projects for which permits have been issued.
- (e) Permits issued by the Department of Public Works as follows:
 - (1) Class "A" permits for construction or repair of sidewalks, driveways and curbs.
 - (2) Excavation permits--special deposits, general deposits.
 - (3) House-moving permits.
 - (4) Permits for house numbers on curbs.
 - (5) Manhole cover permits.
 - (6) Overload permits--height, width and weight.
 - (7) Permit for lease dump truck (personal).
 - (8) Sewer permits (special connections).
 - (9) Storm Drain Connection permits.
 - (10) Permits for Private Rubbish Trucks.
- (f) Projects requiring the approval of the City Planning Department:
 - (1) Parcel Maps - Determination that existing regulations do not apply.
 - (2) Airport Approach Zoning Regulations - Planning Director authority to determine airport hazard area boundaries.
 - (3) Change of Zone or Height District (Ordinances implementing change): Removal of "F" Funded Improvement - removal of designation from map; "Q" and "T" Classification - removal of designation from map; and "Q" plot plan approval pursuant to precise instructions from City Council leaving no discretion.
 - (4) Office of Zoning Administration - Plot plan approvals pursuant to precise instructions or conditions leaving no discretion.
 - (5) Conditional Uses - Plot plan approvals pursuant to precise instructions from decision-making body.

16. Notice of Exemption.

- (a) When a City agency determines that a project is exempt from the requirements of CEQA because it is an emergency project, a ministerial project or categorically exempt, and the City agency approves or determines to carry out the project, it may file a Notice of Exemption. Such a notice shall include (1) a brief description of the project, (2) a finding that the project is exempt, including a citation to the City Guidelines section under which it is found to be exempt, and (3) a brief statement of reasons to support the findings.*
- (b) Whenever a City agency approves an applicant's project, it or the applicant may file a Notice of Exemption. The Notice of Exemption filed by an applicant shall contain the information required in subsection (a) above, together with a certified document issued by the City agency stating that it has found the project to be exempt. This may be a certified copy of an existing document or record of the City agency.*
- (c) The Notice of Exemption shall be filed with the County Clerk of the county or counties in which the project will be located. Copies of all such notices shall be filed concurrently with the Department of Environmental Quality (DEQ). DEQ shall make such notices available for public inspection and shall post a list of such notices on a weekly basis. Each such list shall remain posted for a period of 30 days.*

Attached hereto as Appendix G is a proposed form for a "Notice of Exemption".*

*As Amended by the City Council on November 27, 1974.

ARTICLE 7. Evaluating Projects

1. Initial Study. If the project is not part of a class of projects that qualifies for a Categorical Exemption and there is a possibility that the project may have a significant effect on the environment, the lead City agency should conduct an initial study to determine if the project may have a significant effect on the environment. If any of the effects of a project may have a substantial adverse impact on the environment, regardless of whether the overall effect of the project is adverse or beneficial, then an environmental impact report must be prepared where discretionary governmental action is involved.

A form for the initial study by Council-controlled departments, bureaus, divisions, sections, offices, or officers shall be prescribed by the City Administrative Officer, with the assistance of the Department of Environmental Quality. It shall be no longer than one page.

For all projects described in Section 20.(a)(1) of Article 4., except projects for which funding is provided in the Capital Improvement Expenditure program of the City Budget, involving land acquisition or physical developments by Council-controlled departments, bureaus, divisions, sections, offices, or officers, the initial study shall be forwarded to the City Council for consideration and decision before any funds are expended on such project, other than funds necessary to prepare such initial studies. For projects for which funding is provided in the Capital Improvement Expenditure program of the annual City Budget, the initial study shall be forwarded to the Technical Committee for Capital Programming for consideration and decision. After approval of the initial study by the Technical Committee, the appropriate environmental documents may be prepared and funds expended therefor. A copy of each initial study prepared pursuant to this section shall be filed with the Department of Environmental Quality at the same time it is forwarded to the City Council or Technical Committee. (New language proposed to be inserted is underlined.)*

If the project is to be carried out by a nongovernmental person, the lead City agency may require such person to submit data and information which will enable the lead City agency to make this determination.

2. Determining Significant Effect.

- (a) The determination of whether a project may have a significant effect on the environment calls for careful judgment on the part of the City agency involved, based to the extent possible on scientific and factual data.

*As Amended by the City Council on November 27, 1974.

- (b) An iron-clad definition of significant effect is not possible because the significance of an activity may vary with the setting. For example, an activity which may not be significant in an urban area may be significant in a rural area. There may be a difference of opinion on whether a particular effect should be considered adverse or beneficial, but where there is, or anticipated to be, a substantial body of opinion that considers or will consider the effect to be adverse, the City agency should prepare an EIR to explore the environmental effects involved.
- (c) In evaluating the significance of the environmental effect of a project, the City agency shall consider both primary or direct and secondary or indirect consequences. Primary consequences are immediately related to the project (the construction of a new treatment plant may facilitate population growth in a particular area), while secondary consequences are related more to primary consequences than to the project itself (an impact upon the resource base, including land, air, water and energy use of the area in question may result from the population growth).
- (d) Some examples of consequences which may have a significant effect on the environment in connection with most projects where they occur, including the following:
- (1) Is in conflict with environmental plans and goals that have been adopted by the governing body of the community where the project is to be located;
 - (2) Has a substantial and demonstrable negative aesthetic effect;
 - (3) Substantially affects a rare or endangered species of animal or plant, or habitat of such a species;
 - (4) Causes substantial interference with the movement of any resident or migratory fish or wildlife species;
 - (5) Breaches any published national, state or local standards relating to solid waste or litter control;
 - (6) Results in a substantial detrimental effect on air or water quality, or on ambient noise levels for adjoining areas;
 - (7) Involves the possibility of contaminating a public water supply system or adversely affecting ground water;
 - (8) Could cause substantial flooding, erosion or siltation;
 - (9) Could expose people or structures to major geologic hazards.

3. Mandatory Findings of Significance.

In every case where any of the following conditions are found to exist as a result of a project, the project will be found to have a significant effect on the environment:

- (a) Impacts which have the potential to degrade the quality of the environment, curtail the range of the environment.
- (b) Impacts which achieve short-term, to the disadvantage of long-term, environmental goals.
- (c) Impacts for a project which are individually limited but cumulatively considerable. A project may affect two or more separate resources where the impact on each resource is relatively small. If the effect of the total of those impacts on the environment is significant, an EIR must be prepared. This mandatory finding of significance does not apply to two or more separate projects where the impact of each is insignificant.
- (d) The environmental effects of a project will cause substantial adverse effects on human beings, either directly or indirectly.

4. Negative Declarations.

- (a) A Negative Declaration shall be prepared for a project which could potentially have a significant effect on the environment, but which the lead City agency finds on the basis of an Initial Study will not have a significant effect on the environment.
- (b) A Negative Declaration must include a brief description of the project as proposed, a finding that the project will not have a significant effect on the environment, a brief statement of reasons to support the findings, and a statement indicating who prepared the Initial Study and where a copy of it may be obtained.
- (c) After completing the proposed Negative Declaration, it shall be made available to the public by filing it with the Department of Environmental Quality (DEQ). It shall remain on file in DEQ no less than thirty (30) days prior to approval of the project, unless said period would cause a violation of time constraints established by the City Charter, by ordinance or by state law. In such cases the period of review shall be as long a period as is reasonable, considering said time constraints. After considering such proposed Negative Declaration and comments thereon, the lead City agency shall approve same or take other appropriate action before making any decision on the project.

- (d) After making a decision to carry out or approve the project, the lead City agency shall file a Notice of Determination with a copy of the Negative Declaration attached. The Notice of Determination shall include the decision of the agency to approve or disapprove the project, the determination of the agency as to whether the project will have a significant effect on the environment, and a statement that no EIR has been prepared pursuant to the provisions of CEQA. The Notice of Determination shall be filed with the county clerk of the county or counties in which the project will be located and with the Department of Environmental Quality.
 - (e) The Negative Declaration filed with the Department of Environmental Quality shall be accompanied by the data supporting the proposed finding that the project will not have a significant effect on the environment.
5. Decision to Prepare an EIR. If the lead City agency finds, after an initial study, that the project may have a significant effect on the environment, the lead City agency must prepare or cause to be prepared an Environmental Impact Report.
6. EIR Process. The following steps shall be followed after the lead City agency decides to prepare an EIR:
- (a) If the project is to be carried out by a nongovernmental person, the lead City agency may require such person to submit data and information necessary to enable the agency to prepare the EIR. This information may be transmitted in the form of a draft EIR. The draft EIR which is sent out for public review must reflect the independent judgment of the agency.
 - (b) The content of an EIR is described in Article 9 of these guidelines. Each element of an EIR must be covered, and these elements should be separated into distinct sections. Before completing a draft EIR consisting of the information specified in Sections 2, 3 and 4 of these guidelines, the lead City agency should consult directly with any person or organization it believes will be concerned with the environmental effects of the project. After completing the draft EIR, the lead City agency must consult with, and obtain the comments of, any public agency which has jurisdiction by law with respect to the project and may consult with any person who has special expertise with respect to any environmental impact involved. Opportunity for comments from the general public should be provided.
 - (c) As soon as the draft EIR is completed, but before copies are sent out for review, an official notice stating that the draft EIR has been completed must be filed with the Secretary of the Resources Agency. The notice shall include a brief description of the project its proposed location, and an address where copies of the EIR are available. This notice shall be referred to as a Notice of Completion.

Where the EIR will be reviewed through the state review process handled by the State Clearinghouse, a Notice of Intent will be completed and filed with the State Clearinghouse. The Notice of Intent will serve as the Notice of Completion, and no Notice of Completion need be sent to the Resources Agency. A form for the Notice of Intent is attached to the City Guidelines as Appendix C.

- (d) At the same time, a copy of the Notice of Completion, together with a copy of the draft EIR, shall be filed with the Department of Environmental Quality (DEQ) for their review and comment.
- (e) The lead City Agency shall evaluate any comments received from persons, other City departments, and any other agencies of local or state government who have received the draft EIR.
- (f) The lead City agency shall prepare a final EIR, the contents of which are specified in Section 7, Article 9, of these guidelines. Upon completion of the final EIR, a copy shall be transmitted to the Department of Environmental Quality (DEQ).
- (g) Whenever a final EIR is presented to the decision-making body of a lead City agency, it shall be accompanied by a statement signed by the head of the department that prepared the EIR certifying that the EIR was completed in compliance with CEQA, the State Guidelines and these Guidelines.
- (h) The final EIR shall be presented to the decision-making body of the lead City agency. The lead City agency shall certify that the final EIR has been completed in compliance with CEQA and the State Guidelines and that the decision-making body having final approval authority over the project has reviewed and considered the information contained in the EIR.
- (i) After a decision is made on the project, the lead City agency shall file a notice of action taken on the project. This notice shall be referred to as the Notice of Determination. Such Notice shall include (1) the decision of the agency to approve or disapprove the project, (2) the determination of the agency whether the project will or will not have a significant effect on the environment, and (3) a statement that an EIR has been prepared pursuant to the provisions of CEQA. Such Notice of Determination shall be filed with the County Clerk of the county or counties where the project will be located and with DEQ.

7. EIR Combined with Existing Planning and Review Process.

To the extent possible, the EIR process should be combined with the existing planning, review and project approval process being used by the responsible agency. The lead City agency shall include the EIR as a part of the regular project report where such a report is used in the existing review and budgetary process.

- 8. Statement of Overriding Considerations. If a lead City agency decides to approve a project for which serious adverse environmental consequences have been identified in an EIR, the decision-making body of the lead City agency may adopt a Statement of Overriding Considerations prior to approval of the project. Such Statement should set forth any serious adverse environmental consequences and the reasons why, in the lead City agency's point of view, the project warrants approval despite such consequences.

ARTICLE 8. Categorical Exemptions

1. Section 15116, Division 6, Title 14 of the California Administrative Code requires these guidelines to include a list of classes of projects which have been determined not to have a significant effect on the environment and which shall therefore be exempt from the provisions of CEQA. The following categorical exemptions are in addition to emergency repairs to public service facilities necessary to maintain service which are also exempted (Section 21085, California Public Resources Code):

Class 1: Existing Facilities. Class 1 consists of the operation, repair, maintenance or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that previously existing.

- (a) Interior or exterior alterations involving such things as interior partitions, plumbing, and electrical conveyances.
- (b) Existing facilities of both investor, and publicly owned utilities, electrical power, natural gas, sewage, water, and telephone, and mechanical systems serving existing facilities--this includes alterations to accommodate a specific use.
- (c) Existing highways and streets (within already established rights of way), sidewalks, gutters, bicycle and pedestrian trails, storage areas, parking lots, railroads, and navigable waterways; bridle trails, service roads, fire lanes and golf-cart paths.
- (d) Restoration, or rehabilitation of deteriorated or damaged structures, facilities or mechanical equipment and systems to meet current standards of public health and safety.
- (e) Additions to existing structures provided that the addition will not result in an increase of more than fifty percent (50%) of the floor area of the structure before the addition or alteration, or 2,500 square feet, whichever is less.
- (f) Addition of safety or health protection devices for use during construction of or in conjunction with existing structures, facilities or mechanical equipment, or topographical features (including navigational devices) where these devices do not have or result in an adverse environmental impact.
- (g) New copy on existing on and off-premise signs.
- (h) Maintenance of existing landscaping, native growth, water supply reservoirs, brush clearance for weed abatement and fire protection (excluding the use of economic poisons as defined in Division 7, Chapter 2, California Agricultural Code).

- (i) Maintenance of fish screens, fish ladders, wildlife habitat areas, artificial wildlife waterway devices, streamflows, springs and waterholes, and stream channels (clearing of debris) to protect fish and wildlife resources; lakes and reservoirs.
- (j) Fish stocking by the California Department of Fish and Game.
- (k) Division of existing multiple family rental units into condominiums.
- (l) Demolition and removal of buildings and structures except where they are of historical, archaeological or architectural consequence as officially designated by Federal, State or local governmental action.
- (m) Outdoor lighting for security and operations.
- (n) Existing facilities and mechanical equipment involving negligible or no expansion of use beyond that previously existing.
- (o) Interior or internal modifications to established and discrete areas which are fully developed within the larger environment of parks or recreation centers, where such interior or internal modification is essentially a rearrangement rather than an additive function such as might occur at a zoo, outdoor museum, arboretum, formal garden or similar display area.
- (p) Renewal of any lease, license or permit to use an existing structure or facility where the use involves negligible or no permanent effects on the environment.
- (q) Traffic signs.
- (r) Traffic signals.
- (s) Pavement markings.
- (t) Traffic channelization using paint and raised pavement markers.
- (u) Parking meters.
- (v) Surface and subsurface pipelines serving industrial or commercial facilities in Harbor Districts.*
- (w) Permits, leases, agreements, berth and space assignments, and renewals or extensions thereof, or other entitlements granting use of the following existing facilities and land and water areas involving negligible or no expansion

of use and/or alteration or modification of the facilities beyond that previously existing, and where such use, and/or facility modification have no significant effect on the environment:

1. Municipal Warehouses and Transit Sheds.
2. Municipal Wharves.
3. Storage areas for import-export commodities.
4. Office space.
5. Surface or subsurface pipelines serving industrial or commercial facilities in the Harbor District.**

Class 2: Replacement or Reconstruction. Class 2 consists of replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced:

- (a) Replacement or reconstruction of existing schools, hospitals, recreation buildings and libraries to provide earthquake resistant structures which do not increase capacity more than fifty percent (50%).
- (b) Replacement of a commercial structure with a new structure of substantially the same size and purpose.
- (c) Replacement or reconstruction of existing utility facilities involving negligible or no expansion of use where the use involves negligible or no permanent effects on the environment.
- (d) Conversion of overhead electric utility distribution system facilities to underground including connection to existing overhead electric utility distribution lines.*
- (e) Replacement or reconstruction of surface or subsurface pipelines involving negligible or no expansion of use beyond that previously existing and where the use involves no significant effect on the environment.**

*Amended on May 1, 1974

**Amended on November 27, 1974

Class 3: New Construction of Small Structures.* Class 3 consists of construction and location of single, new, small facilities or structures and installation of small new equipment and facilities:

- (a) Single family residences not in conjunction with the building of two or more such units.
- (b) Hotels, apartments, and duplexes designed for not more than four dwelling units if not in conjunction with the building of two or more such structures.
- (c) Stores, offices, and restaurants, either temporary or permanent, if designed for an occupant load of twenty (20) persons or less, if not in conjunction with the building of two or more such structures.
- (d) Installation of new equipment and industrial facilities involving negligible or no expansion of use if required for safety, health or environmental control.
- (e) Water main, sewage, electrical, gas and other utility extensions of reasonable length to serve such construction.
- (f) Accessory (appurtenant) structures including garages, carports, patios, swimming pools, fences, game courts, play areas and retaining walls.
- (g) Additions to underground electric and water utility distribution system facilities such as cables, conduits, pipelines, manholes, vaults and appurtenances, including connections to existing overhead electric utility distribution lines.**
- (h) Installation of surface and subsurface pipelines and equipment in industrial facilities involving negligible or no expansion of use beyond that previously existing and where the use involved no significant effect on the environment***

*See "Exception by Location," Section 4 of this Article.

**Amended May 1, 1974

***Amended November 27, 1974

- Class 4: Minor Alterations to Land.* Class 4 consists of minor public or private alterations to the condition of land, water and/or vegetation which do not involve removal of mature, scenic trees except for forestry and agricultural purposes:
- (a) Grading on land with a slope of less than ten percent (10%), except where it is to be located in a waterway, in any wetland, in an officially designated (by Federal, State or local governmental action) scenic area or in officially mapped areas of severe geologic hazard.
 - (b) New gardening, tree planting, or landscaping but not including tree removal, except dead, damaged or diseased trees or limbs.
 - (c) Filling of earth into previously excavated land, and maintenance and preservation of land elevation in areas of land settlement and subsidence, with material compatible with the natural features of the site.
 - (d) Minor alterations in land, water and vegetation on existing officially designated wildlife management areas of fish production facilities which result in improvement of habitat for fish and wildlife resources or greater fish production.
 - (e) Minor temporary uses of land having negligible or no permanent effects on the environment, including carnivals, sale of Christmas trees, etc.; building materials storage on street or sidewalk during job.
 - (f) The renewal of any lease, license or permit to use land where the use involves negligible or no permanent effects on the environment.
 - (g) Watercourse permits.
 - (h) Grading and/or paving of alleys within existing right of way.*
 - (i) Office of Zoning Administration - Zoning Administrator authority to erect and maintain temporary subdivision directional signs.
 - (j) Minor trenching and backfilling where the surface is restored.

* See "Exception by Location," Section 4 of this Article.

Class 5: Alterations in Land Use Limitations.* Class 5 consists of minor alterations in land use limitations, except zoning.

- (a) Minor lot line adjustments, side yard and setback variances not resulting in the creation of any new parcel nor in any change in land use or density.
- (b) Issuance of minor encroachment permits.
- (c) Minor street, alley and utility easement vacations.
- (d) Conveyances of minor miscellaneous easements, excluding street, alley or walkway easements.
- (e) Acceptance of offers of dedication made pursuant to Section 12.37 of the L.A.M.C. (Appeals from the requirement of making the requisite offer of dedication are not exempted by this exemption.)
- (f) Minor modifications of the conditions of previously approved tentative tract maps involving improved design features when no increase in the number of lots or parcels is proposed.
- (g) Changes in Council instructions related to a change of zone or height district.
- (h) Extensions of time to utilize "Q" provisions imposed upon changes of zone or height district.
- (i) Interpretations and minor adjustments to the boundaries of zones or height districts limited by the existing provisions of Section 12.30 of the Los Angeles Municipal Code.
- (j) Minor area variances, yard variances, or slight modifications which do not result in any change in land use or additional dwelling units.
- (k) Office of Zoning Administration - Appeals from Department of Building and Safety Orders and Zoning Administrator Interpretations which do not result in any change in land use or additional dwelling units.

* See "Exception by location, Section 4 of this Article."

- (l) Dedication of easements for streets, alleys and walkways over City-owned property already improved as streets, alleys or walkways.*
- (m) Conveyance of easements between public agencies for streets, alleys and walkways over properties already improved as streets, alleys or walkways.*
- (n) Acquisition of easements for drainage and sanitary sewers for the conveyance of local drainage and sewage flow into existing outlet facilities.*
- (o) Acquisition of easements for future streets, future alleys and future walkways.*
- (p) Acceptance of future streets, future alleys and future walkways which are already improved as streets, alleys and walkways, as public streets, public alleys and public walkways.*
- (q) Release of agreements on property involving lot ties, public easements dedications, and submittals of plans.*

*Amended May 1, 1974

Class 6: Information Collection* Class 6 consists of basic data collection, research, experimental management and resource evaluation activities which do not result in a serious or major disturbance to an environmental resource. These may be for strictly information gathering purposes, or as part of a study leading to an action which a public agency has not yet approved, adopted or funded.

- (a) Permits for test holes in public areas which will be used for engineering evaluations for street, sewer, storm drain, buildings or utility installations.
- (b) Basic data collection, field testing, research, experimental management and resource activities of City departments, bureaus, divisions, sections, offices or officers which do not result in serious or major disturbance to an environmental resource.
- (c) Permits to drill test holes in navigable waters or submerged lands which will be used for chemical and biological engineering evaluations for marine facilities, and for chemical and biological analysis of sediments.**

* See "Exception by location," Section 4 of this Article.

** Amended on November 27, 1974.

Class 7: Actions by Regulatory Agencies for Protection of Natural Resources.
Class 7 consists of actions taken by regulatory agencies as authorized by state law or local ordinance to assure the maintenance, restoration, or enhancement of a natural resource where the regulatory process involves procedures for protection of the environment. Examples include but are not limited to wildlife preservation activities of the State Department of Fish and Game. Construction activities are not included in this exemption.

Class 8: Actions by Regulatory Agencies for Protection of the Environment.
Class 8 consists of actions taken by regulatory agencies, as authorized by state or local ordinance, to assure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for protection of the environment. Construction activities are not included in this exemption.

- (a) Industrial waste permits.
- (b) Design approvals by the Municipal Arts Commission pursuant to Charter Section 165 and Section 91.4509(a) of the Los Angeles Municipal Code.

Class 9: Inspections. Class 9 consists of activities limited entirely to inspection, to check for performance of an operation, or quality, health or safety of a project, including related activities such as inspection for possible mislabeling, misrepresentation or adulteration of products:

- (a) Inspection of private refuse disposal sites.
- (b) Activities of City departments, bureaus, divisions, sections, offices or officers limited entirely to inspection, to check for performance of an operation, or the quality, health or safety of a project.

Class 10: Loans. Class 10 consists of loans made by the Department of Veterans Affairs under the Veterans Farm and Home Purchase Act of 1943, mortgages for the purchase of existing structures where the loan will not be used for new construction and the purchase of such mortgages by financial institutions.

- (a) Loans made by the Department of Veterans Affairs under the Veterans Farm and Home Purchase Act of 1943.
- (b) Purchases of mortgages from banks and mortgage companies by the Public Employees Retirement System and by the State Teachers Retirement System.

Class 11: Accessory Structures.* Class 11 consists of construction or placement of minor structures accessory to (appurtenant to) existing commercial, industrial or institutional facilities.

- (a) On-premise signs under 12 square feet.
- (b) Small parking lots under 24 spaces.
- (c) Game courts, play equipment, drinking fountains, restrooms.
- (d) Placement of seasonal or temporary use items such as lifeguard towers, mobile food units, portable restrooms and similar items in generally the same locations from time to time in publicly owned parks.

* See "Exception by Location," Section 4 of this Article.

Class 12: Surplus Government Property Sales: Class 12 consists of sales of surplus government property except for parcels of land located in an area of statewide interest or potential area of critical concern as identified in the Governor's Environmental Goals and Policy Report of June 1, 1973.

- (a) Sales of surplus City-owned property, except for parcels of land located in an area of statewide interest or potential area of critical concern as identified in the Governor's Environmental Goals and Policy Report of June 1, 1973.

2. Procedures for Amending Article 8.

Other City agencies and Council-controlled department, bureau, division, section, office or officer may petition the City Council to request the State Office of Planning and Research to add a new class of categorical exemptions. Such City agency may also petition the City Council to add or delete a categorical exemption under an existing class. The petitioner must provide the City Council with detailed information supporting its contention that the projects in question do not significantly affect the environment. Where the projects may potentially be carried out in substantially different environments, specific mention should be made as to the type of environment in which the exemption may be applied or not applied.

3. Relation to Ministerial Projects.

The categorical exemptions listed above include classes of projects which in many cases will be ministerial. The exemptions only apply where the project is discretionary.

4. Exception by Location.

Classes 3, 4, 5, 6 and 11 are qualified by considerations of where the project is to be located -- a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply in all instances, EXCEPT where the project may impact on an environmental resource, or hazard of critical concern as may be hereafter designated, precisely mapped, and officially adopted pursuant to law by federal, state or local agencies. Moreover, all exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant -- for example, annual additions to an existing building under Class 1.

ARTICLE 9. Contents of Environmental Impact Reports

1. General.

Environmental impact reports shall contain the information outlined in this article.

2. Description of Project.

The description of the project shall contain the following information but should not supply extensive detail beyond that needed for evaluation and review of the environmental impact.

- (a) The precise location and boundaries of the proposed project shall be shown on a detailed map, preferably topographic. The location of the project shall also appear on a regional map.
- (b) A statement of the objectives sought by the proposed project.
- (c) A general description of the project's technical, economic, and environmental characteristics, considering the principal engineering proposals and supporting public service facilities.

3. Description of Environmental Setting.

An EIR must include a description of the environment in the vicinity of the project, as it exists before commencement of the project, from both a local and regional perspective. Knowledge of the regional setting is critical to the assessment of environmental impacts. Special emphasis should be placed on environmental resources that are rare or unique to that region. Specific reference to related projects, both public and private, both existent and planned, in the region should also be included for purposes of examining the possible cumulative impact of such projects.

4. Environmental Impact.

All phases of a project must be considered when evaluating its impact on the environment: planning, acquisition, development and operation. The following subjects shall be discussed, preferably in separate sections or paragraphs.

- (a) The Environmental Impact of the Proposed Action:
Describe the direct and indirect impacts of the project on the environment, giving due consideration to both the short-term and long-term effects.

It should include specifics of the area, the resources involved, physical changes, alterations to ecological systems and changes induced in population distribution, population concentration, the human use of the land

(including commercial and residential development) and other aspects of the resource base such as water, scenic quality and public services.

(b) Any Adverse Environmental Effects Which Cannot Be Avoided if the Proposal is Implemented:

Describe any adverse impacts, including those which can be reduced to an insignificant level but not eliminated. Where there are impacts that cannot be alleviated without imposing an alternative design, their implications and the reasons why the project is being proposed, notwithstanding their effect, should be described. Do not neglect impacts on any aesthetically valuable surroundings or on human health.

(c) Mitigation Measures Proposed to Minimize the Impact:

Describe any mitigation measures written into the project plan to reduce significant environmentally adverse impacts to insignificant levels, and the basis for considering these levels acceptable. Where a particular mitigation measure has been chosen from among several, alternatives should be discussed and reasons should be given for the choice made.

(d) Alternatives to the Proposed Action:

Describe any known alternatives to the project, or to the location of the project, which could feasibly attain the basic objectives of the project, and why they were rejected in favor of the ultimate choice. The specific alternative of "no project" must also always be evaluated, along with the impact. Attention should be paid to alternatives capable of substantially reducing or eliminating any environmentally adverse impacts, even if these alternatives substantially impede the attainment of the project objectives and are more costly.

(e) The Relationship Between Local Short-Term Uses of Man's Environment and the Maintenance and Enhancement of Long-Term Productivity:

Describe the cumulative and long-term effects of the proposed project which adversely affect the state of the environment. Special attention should be given to impacts which narrow the range of beneficial uses of the environment or pose long-term risks to health or safety. In addition, the reasons why the proposed project is believed by the sponsor to be justified now, rather than reserving an option for further alternatives, should be explained.

(f) Any Irreversible Environmental Changes Which Would Be Involved in the Proposed Action Should It Be Implemented:

Uses of nonrenewable resources during the initial and continued phases of the project may be irreversible since a large commitment of such resources makes removal or nonuse thereafter unlikely. Primary impacts and, particularly, secondary impacts (such as a highway improvement which provides access to a nonaccessible area) generally commit future generations to similar uses. Also irreversible damage can result from environmental accidents associated with the project. Irretrievable commitments of resources should be evaluated to assure that such current consumption is justified.

(g) The Growth-Inducing Impact of the Proposed Action:

Discuss the ways in which the proposed project could foster economic or population growth, either directly or indirectly, in the surrounding environment. Included in this are projects which would remove obstacles to population growth (a major expansion of a waste water treatment plant might, for example, allow for more construction in service areas). Increases in the population may further tax existing community service facilities, so consideration must be given to this impact. Also discuss the characteristic of some projects which may encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively. It must not be assumed that growth in any area is necessarily beneficial, detrimental or of little significance to the environment.

5. Organizations and Persons Consulted.

The identity of all federal, state or local agencies, other organizations and private individuals consulted in preparing the EIR, and the identity of the persons, firm or agency preparing the EIR by contract or other authorization must be given.

6. Water Quality Aspects.

With respect to water quality aspects of the proposed project which have been previously certified by the appropriate state or interstate organization as being in substantial compliance with applicable water quality standards, reference to the certification should be made.

7. Contents of Final Environmental Impact Report.

- (a) The Final EIR shall consist of the Draft EIR containing the elements described in Sections 2, 3 and 4 of this Article, a section containing the comments received through the consultation process described in Article 10, either verbatim or in summary, and the response of the lead City Agency to the significant environmental points raised in the review and consultation process.
- (b) The response of the lead City Agency to comments received may take the form of a revision of the Draft EIR or may be an attachment to the Draft EIR. The response shall describe the disposition of significant environmental issues raised (e.g., revisions to the proposed project to mitigate anticipated impacts or objections). In particular the major issues raised when the lead City Agency's position is at variance with recommendations and objections raised in the comments must be addressed in detail giving reasons why specific comments and suggestions were not accepted, and factors of overriding importance warranting an override of the suggestions.

8. Degree of Specificity. The degree of specificity required in an EIR will correspond to the degree of specificity involved in the underlying activity which is described in the EIR.

- (a) An EIR on a construction project will necessarily be more detailed in the specific effects of the project than will be an EIR on the adoption of a local general plan or comprehensive zoning ordinance because the effects of the construction can be predicted with greater accuracy.
- (b) An EIR on projects such as the adoption or amendment of a comprehensive zoning ordinance or a local general plan should focus on the secondary effects that can be expected to follow from the adoption, but the EIR need not be as detailed as an EIR on the specific construction projects that might follow.
- (c) The requirements for an EIR on a local general plan or element thereof will be satisfied by the general plan or element document, i.e., no separate EIR will be required, if: (1) the general plan addresses all the points required to be in an EIR by Article 9 of these Guidelines and (2) the document contains a special section or a cover sheet identifying where the general plan document addresses each of the points required.

ARTICLE 10. Evaluation of EIRs

1. Adequate Time for Review and Comment.

State law requires that adequate time be provided for public agencies and members of the public to review and comment on EIRs. The State law also states that the review period must not cause undue delays in the processing of applications for permits or other entitlements to use. Many decisions by City agencies which qualify as projects under CEQA must be made within time constraints established by the City Charter, State law or by ordinance. In the submission of EIRs to other agencies for review, the lead City Agency shall indicate the decision date mandated by Charter, State law or ordinance.

The review period shall not be less than 30 nor more than 90 days for the draft EIR, unless said period would cause a violation of time constraints established by the City Charter, ordinance or by State law. In such cases the period of review shall be as long a period as is reasonable, considering said time constraints.

2. Review of Environmental Impact Reports.

- (a) City agencies must develop internal procedures to ensure that project sponsors obtain and receive adequate comments on their EIRs from public agencies which have jurisdiction by law with respect to the project. Such procedures should include provisions for consultation with persons who have special expertise in environmental matters.
- (b) Each City Agency should compile a list of other agencies which have jurisdiction and/or special expertise with respect to various projects and project locations. (Appendix A to these guidelines identifies state agencies which have legal jurisdiction over, or special expertise in, various impacts. This could be the basis for a part of such listings.)
- (c) Reviewers should focus on the sufficiency of the EIR in discussing possible impacts upon the environment, ways in which adverse effects might be minimized, and alternatives to the project, in light of the intent of the act to provide decision-makers with useful information about such factors.
- (d) Upon completion of reviewing an EIR, it is suggested that reviewing agencies supply the project sponsor with the name of a contact person who is available for later consultation should this prove necessary.
- (e) EIRs and Negative Declarations to be reviewed by state agencies shall be submitted to the State Clearinghouse, 1400 Tenth Street, Sacramento, California 95814. When EIRs are submitted to the State Clearinghouse, the review periods set by the lead City agency shall be at least as long as the period provided in the state review system operated by the State Clearinghouse.

3. Failure to Comment.

If any public agency or person who is consulted with regard to an EIR fails to comment within a reasonable time as specified by the lead City Agency, it shall be assumed, absent a request for a specific extension of time, that such agency or person has no comment to make.

4. Public Hearings.

- (a) A public hearing on the environmental impact of a project should usually be held when the lead City Agency determines it would facilitate the purposes and goals of the CEQA and these Guidelines to do so. The hearing may be held in conjunction with and as a part of normal planning activities. To as great a degree as possible, these hearings should include comments from reviewing agencies made pursuant to these Guidelines.
- (b) A Draft EIR should be used as the basis for discussion at a public hearing. For City agencies, the hearing may be held at the City Hall or other place where public hearings are regularly conducted by the agency.
- (c) Notice shall be given of all public hearings in a timely manner. This notice may be given in the same form and time as notice for other regularly conducted public hearings of the City agency.
- (d) Existing hearing and notice procedures of the City are applicable to any hearings held pursuant to this section.
- (e) There is no requirement for a City agency to conduct a public hearing in connection with its review of an EIR prepared by another public agency.

5. Retention and Availability of Comments.

Comments received through the consultation process shall be kept on file for a reasonable period and available for public inspection at an address given in the Final EIR. Comments which may be received independently of the review of the Draft EIR shall also be considered and kept on file.

IN AREAS OF ENVIRONMENTAL CONCERN

[illegible]

Appendix B

TO: State of California
The Resources Agency
Secretary for Resources
1416 Ninth Street, Room 1311
Sacramento, California 95814

NOTICE OF COMPLETION

Project Title

Project Location - Specific

Project Location - City

Project Location - County

Description of Nature, Purpose, and Beneficiaries of Project

Lead Agency

Division

Address Where Copy of EIR is Available

Review Period

Contact Person

Area Code

Phone

Extension

NOTICE OF INTENT

Appendix C

(NOTIFY BOTH)

THIS FORM SERVES AS THE NOTICE OF COMPLETION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT IF A REVIEW IS REQUIRED AT THE STATE LEVEL ON THE ENVIRONMENTAL IMPACT REPORT OR NEGATIVE DECLARATION.

☐ STATE CLEARINGHOUSE
OFFICE OF THE GOVERNOR
OFFICE OF PLANNING AND
RESEARCH
1400 10TH STREET
SACRAMENTO, CALIFORNIA 95814
(916) 445-0013

☐ METROPOLITAN CLEARINGHOUSE

STATE OF CALIFORNIA
FORM CCR-1 (11-73)

STATE CLEARINGHOUSE NUMBER (SCH. NO) (1-8)	TRANSACTION (9)
--	-----------------

SEE INSTRUCTIONS ON REVERSE SIDE

01	SPONSOR (OR AGENCY RESPONSIBLE FOR REPORT) (12-45)		DIVISION (46-74)		DATE THIS FORM SUBMITTED (75-80) MO. DAY YEAR	
02	PROJECT TITLE (12-71)					AGENCY ACTION DATE (SEE INSTRUCTIONS 75-80) MO. DAY YEAR
03	ADDRESS (12-45)			CITY (46-60)	COUNTY (61-75)	ZIP CODE (76-81)
04	CONTACT PERSON (12-36)		TITLE (37-65)		AREA CODE (66-68)	PHONE (69-75)
05	PROJECT DESCRIPTION OF NATURE, PURPOSE, BENEFICIARIES					ON THESE 5 LINES CAPSULIZE THE PROJECT DESCRIPTION. YOU ARE ENCOURAGED TO ATTACH ADDITIONAL INFORMATION ON THE PROJECT FOR THE BENEFIT OF THE REVIEWER. IF YOU DO, THE STATE CLEARINGHOUSE WILL NEED 25 COPIES OF ANY ATTACHMENTS. PLEASE CHECK WITH THE METROPOLITAN CLEARINGHOUSE FOR THEIR SUBMISSION REQUIREMENTS.
06						
07						
08						
09						
10						
11	PROJECT LOCATION CITY (12-45)			PROJECT LOCATION COUNTY (46-79)		
12	FEDERAL FUNDS GRANT (12-20) OTHER (21-29)		MATCHING FUNDS STATE (30-38) LOCAL (39-47)		(48-56) OTHER NON-FEDERAL FUNDS	(57-66) TOTAL FUNDS
13	SOURCE OF OTHER FEDERAL FUNDS (12-34)		FED. CATALOG NO.	SOURCE OF STATE MATCH (35-57)		SOURCE OF OTHER NON-FED. FUNDS (58-90)
14	FUNDING AGENCY PROGRAM TITLE (12-80)					FEDERAL CATALOG NUMBER
15	FUNDING AGENCY NAME (12-45)			SUB-AGENCY (46-79)		
16	CONGRESSIONAL DISTRICT 12-13 14-15 16-17 18-19 20-21 22-23 24-25 26-27 28-29 30-31 32-33 34-35 36-37 38-39 40-41 42-43 44-45 46-47 48-49 50-51		SENATE DISTRICT		ASSEMBLY DISTRICT	
17	TYPE OF ACTION: <input type="checkbox"/> 12 NEW <input type="checkbox"/> 13 MODIFICATION IN CURRENT GRANT - CUR. SCH. NO. (14-21) <input type="checkbox"/> 22 CONTINUATION GRANT SCH. NO. FROM PRE. PR. (23-30) <input type="checkbox"/> 31 RESUBMITTAL IF A PRE APPLICATION - PRE. SCH. NO. (32-39)		PROJECT SUBJECT TO REVIEW UNDER: (CHECK AS MANY AS APPROPRIATE) <input type="checkbox"/> 58 U.S. OFFICE OF MANAGEMENT AND BUDGET CIRCULAR A-95 <input type="checkbox"/> 59 MODEL CITIES PLANNED VARIATION <input type="checkbox"/> 60 NATIONAL ENVIRONMENTAL POLICY ACT <input type="checkbox"/> 61 CALIFORNIA ENVIRONMENTAL QUALITY ACT <input type="checkbox"/> 62 SUBDIVISION REVIEW (SECTION 11550.1 OF BUSINESS & PROFESSIONS CODE) <input type="checkbox"/> 63 STATE ADMINISTRATIVE MANUAL (SEC. 0911) <input type="checkbox"/> 64 HEALTH RELATED (SEC. 437.5 OF HEALTH AND SAFETY CODE) <input type="checkbox"/> 65 LEASE OF STATE LANDS <input type="checkbox"/> 66 OTHER:		IF PROJECT IS PHYSICAL IN NATURE OR REQUIRES AN ENVIRONMENTAL DOCUMENT, LIST THE U.S. GEOLOGICAL SURVEY QUADRANGLE MAP IN WHICH THE PROJECT IS LOCATED. 1. _____ 2. _____ 3. _____ 4. _____ 5. _____ DOES YOUR AGENCY HAVE A CIVIL RIGHTS AFFIRMATIVE ACTION POLICY AND PLAN? YES <input type="checkbox"/> 67 NO <input type="checkbox"/> 68 WILL THE PROJECT REQUIRE RELOCATION? YES <input type="checkbox"/> 69 NO <input type="checkbox"/> 70	
18	IS ENVIRONMENTAL DOCUMENT REVIEW REQUIRED? IF YES - <input type="checkbox"/> 14 ENVIRONMENTAL IMPACT STATEMENT (REPORT) ATTACHED <input type="checkbox"/> 15 DRAFT EIR <input type="checkbox"/> 16 FINAL EIR <input type="checkbox"/> 17 NEGATIVE DECLARATION ATTACHED <input type="checkbox"/> 18 NONE ATTACHED - DOCUMENT WILL BE FORWARDED ON APPROXIMATELY _____ DAY _____ YEAR (12-74)		YES <input type="checkbox"/> 12 NO <input type="checkbox"/> 13 IF NO - <input type="checkbox"/> 25 FEDERAL PROGRAM DOES NOT REQUIRE AN ENVIRONMENTAL DOCUMENT <input type="checkbox"/> 26 PROJECT EXEMPT UNDER STATE CATEGORICAL EXEMPTION, CLASS _____ (27-28)			
19	LIST LOCAL, COUNTY-WIDE, REGIONAL, STATE OR FEDERAL AGENCIES WITH WHICH CO-ORDINATION HAS BEEN ESTABLISHED.					
SPONSOR'S PROJECT I.D. NUMBER (OPTIONAL) (12-21)			SIGNATURE OF AUTHORIZED REPRESENTATIVE			

CITY OF LOS ANGELES
CALIFORNIA ENVIRONMENTAL QUALITY ACT 1970

INITIAL STUDY
(Article 7, No. 1—City EIR Guidelines)

Council District _____

Date _____

Lead City Agency _____

Project Title _____

Scope and Description of Project:

Description of present environmental setting:

Possible environmental impact (Adverse and Beneficial):

Recommended Disposition: ☐ EIR ☐ Negative Declaration ☐ Undetermined

Estimated cost of preliminary and planning expenses \$ _____

Name of person preparing form _____

CITY OF LOS ANGELES
CALIFORNIA ENVIRONMENTAL QUALITY ACT 1970

NEGATIVE DECLARATION
(Article 7, No. 4 City EIR Guidelines)

DEQ Use

Council District _____

Date _____

Lead City Agency _____

Project Title/No. _____

Project Location _____

Project Description _____

Name of Applicant if other than City Agency _____

The _____ of the City of
Los Angeles has determined that this project will not have a significant
effect on the environment for the following reasons: _____

(use additional sheet if necessary)

Initial Study prepared by _____

Copy may be obtained from _____ Department, Room _____.

Signed _____

Title _____

Date _____

Name of person preparing this form _____

Title _____

CITY OF LOS ANGELES
CALIFORNIA ENVIRONMENTAL QUALITY ACT 1970

NOTICE OF DETERMINATION
(Article 7, No. 6(1)—City EIR Guidelines)

County Clerk's Use

Council District _____ Date _____

Lead City Agency _____

Project Title/No. _____

Project Location _____

Project Description _____

Project has been approved ☐ Project has not been approved ☐

On _____ 19____, the _____ determined

☐ This project WILL NOT have a significant effect on the environment☐ This project WILL have a significant effect on the environment

Signed _____

Title _____

DEQ

☐ A Negative Declaration was filed with the ~~County Clerk~~☐ An EIR was not prepared for this project☐ An EIR was prepared for this project and is on file with:

City Department of Environmental Quality
Room 550, City Hall East
200 No. Main St., Los Angeles 90012

Name of person preparing this form _____

Title _____

Notice of Exemption

Appendix G

TO: State of California
The Resources Agency
Secretary for Resources
1416 Ninth Street, Room 1311
Sacramento, CA 95814

FROM:

Project Title:

Project Location - Specific:

Project Location - City

Project Location - County

Description of Nature, Purpose, and Beneficiaries of Project:

Name of Public Agency Approving Project:

Name of Person or Agency Carrying Out Project:

Exempt Status: (Check one)

☐ Ministerial (Sec. 15073)

☐ Declared Emergency (Sec. 15071 (a))

☐ Emergency Project (Sec. 15071 (b) and (c))

☐ Categorical Exemption. State type and section number:

Reasons why project is exempt:

Contact Person

Area Code

Telephone

Extension

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a notice of exemption been filed by the public agency approving the project? Yes ☐ No ☐

Date Filed:

Signature

Title

DO NOT WRITE IN THIS SPACE

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